IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.13438 of 2001

Between:

Hulgappa S/o. Sri Hulgappa, 36 years,
R/o. Korviched Village, Bashirabad Mandal,
Ranga Reddy District.

...PETITIONER

AND

1.The Mandal Revenue Officer,
Bashirabad Mandal, Ranga Reddy District & Election Officer,
Bashirabad Mandal.

2.The Revenue Divisional Officer,
Vikarabad Division, Ranga Reddy District & Deputy District Election Officer.
3.The District Collector
Ranga Reddy District, Hyderabad.
4.Sri Narsi Reddy, Damarched Village, Bashirabad Mandal,
Ranga Reddy District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to suspend the orders of the 2nd respondent issued vide proceedings No.D/846/2001, dt.1.7.2001 by permitting the petitioner to contest the election for MPTC (Reserved for B.C.), in Korviched Constituency, Bashirabad Mandal, Ranga Reddy District, Scheduled to be held on 12.7.2001 pending disposal of the above Writ Petition.

Counsel for the Petitioner: MR.K.V.SIMHADRI

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

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ORDER:

In pursuance of the Election notification, dated 25.06.2001 for Elections to Mandal Parishad Territorial Constituency (MPTC) in Ranga Reddy District, the petitioner filed nomination as a candidate of Indian National Congress for the office of Member of MPTC for Korviched Village, Bashirabad Mandal, Ranga Reddy District on 28.06.2001. After scrutiny, the nomination of the petitioner was found to be valid and the list of valid nominations was displayed in the prescribed format on 30.06.2001. The second respondent herein by proceedings dated 01.07.2001 however declared the nomination of the petitioner as invalid after considering the objections raised by the fourth respondent-Telugu Desam Party candidate. Assailing the same, the petitioner filed the present Writ Petition.

Though this Court while admitting the Writ Petition on 03.07.2001, while observing that the impugned order suffers from incurable legal infirmities, ordered interim suspension and further directed that the petitioner be treated as one of the candidates for Election of the MPTC, Korviched Constituency. The Elections were to be scheduled on 12.07.2001. In all probability, the petitioner contested the Election and therefore, nothing survives in the Writ Petition.

The Writ Petition is therefore dismissed as infructuous.

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(V.V.S.RAO, J)

8th September 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1.The Mandal Revenue Officer,
Bashirabad Mandal, Ranga Reddy District & Election Officer,
Bashirabad Mandal.

2.The Revenue Divisional Officer,
Vikarabad Division, Ranga Reddy District & Deputy District Election Officer.
3.The District Collector,
Ranga Reddy District, Hyderabad.

4.Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

5.Two CD copies.